

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA

SALZGITTER MANNESMANN)	
INTERNATIONAL (USA) INC.,)	
)	
)	
Plaintiff,)	
)	
v.)	Civil Action No.: 2:07cv764-MHT
)	
SOUTHEASTERN STUD &)	
COMPONENTS, INC.,)	
)	
)	
Defendant.)	

PLAINTIFF’S MOTION FOR SUMMARY JUDGMENT

Plaintiff Salzgitter Mannesmann International (USA) Inc. (“Salzgitter”), moves this Court, pursuant to FED R. CIV. P. 56, for summary judgment on its claim in the above-captioned case on the ground that there are no genuine issues as to any material fact or facts, and Plaintiff is entitled to judgment as a matter of law.

As set forth in Plaintiff’s supporting Brief, Plaintiff is entitled to judgment as a matter of law because the documents and undisputed facts demonstrate that Defendant Southeastern Stud & Components, Inc. (“Southeastern Stud”), contracted with Salzgitter to supply it with steel, that Southeastern Stud breached that contract by failing to pay for the steel, and that Salzgitter was damaged as a result of Defendant’s breach.

In further support of Plaintiff's Motion, Plaintiff files contemporaneously herewith Plaintiff's Brief in Support of Motion for Summary Judgment and the Affidavit of Rolf Mainz.

/ J. Forrest Hinton

J. FORREST HINTON
CHRISTOPHER C. HAUG

Attorneys for Plaintiff Salzgitter
Mannesmann International (USA) Inc.

OF COUNSEL:

BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, PC
Wachovia Tower
420 20th Street North, Suite 1600
Birmingham, Alabama 35203
Telephone (205) 328-0480
Facsimile (205) 322-8007

CERTIFICATE OF SERVICE

I hereby certify that on this April 4, 2008, the foregoing was served by electronic mail via the Court's CM/ECF system on the following:

James L. Day
Von G. Memory
469 South McDonough Street
Montgomery, Alabama 36103-4054
Telephone (334) 834-8000
Facsimile (334) 834-8001

s/ J. Forrest Hinton
Of Counsel